REMARKS

Claims 1 and 10 are currently amended. Claim 8 had been previously canceled. Thus, after entry of this Amendment claims 1-7 and 9-10 remain pending and are under consideration.

Applicants note that the Amendments filed June 2, 2009 and February 17, 2010 inadvertently introduced extra words "the" and "of Ba/Ti" into claim 1 at line 4. Claim 1 was listed therein as "original." No amendment to claim 1 was intended and the introduction of the extra words was a clerical mistake. With this Amendment claim 1 is set forth herein without the extra words and strikethroughs.

I. Amendments to the Claims

Claims 1 and 10 are amended to recite the invention with greater clarity. In particular, claim 1 specifies that a powdery reaction product containing barium titanate is formed in performing the reaction while maintaining the reaction mixture at a constant OH- concentration. Support for the amendment to claim 1 can be found in the original disclosure, for example in paragraph 0035. Claim 10 is amended to change the transition phrase to "consisting of."

II. Rejection under 35 U.S.C. §§ 102 and 103(a)

Claims 1, 5-7, and 9-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Harada et al. (U.S. 2002/0090335) in view of Guo et al. (US 6827916) and Woditsch et al (US 4173485). Claims 2-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Harada et al. in view of Guo et al and Woditsch et al. and Vita et al. (US 2985506). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Harada et al. in view of Guo et al and Woditsch et al. and Vita et al. and Kawamoto et al. (US 2003/0022784). Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Harada et al. in view of Guo et al and

Woditsch et al. and either one of Uedaira et al (US 4520004) or Kerchner (US 6129903). Claims 10-12 stand rejected under 35 U.S.C. § 102 as being anticipated by Buchanan et al. (US H987). Claim 10 stands rejected under 35 U.S.C. § 102 as being anticipated by Harada et al. Applicants traverse.

As an initial matter, Applicants note that Guo et al. (US 6827916) is cited as a 103(a) reference. Under 35 U.S.C 103(c), subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102, shall not preclude patentability where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person. Applicants submit that at the time the claimed invention was made, the claimed invention and Guo et al. were owned by or subject to an obligation of assignment to the same entity, Beijing University of Chemical Technology. Therefore, under section 35 U.S.C 103(c) Guo et al. shall not preclude patentability for the claimed invention.

Based on the foregoing, Applicants submit that a prima facie case of obviousness has not been established. To expedite prosecution and secure allowance, Applicants amend the claims to recite the invention with greater clarity, and make remarks with respect to cited references including Harada et al. and Woditsch et al. to expedite prosecution.

In claim 1 Applicants claim:

> 1. A process for the preparation of barium titanate powders, comprising separately and simultaneously introducing into a high-gravity reactor an aqueous solution (I) containing salts or organometallic compounds of barium and titanium, preheated to a temperature of from 60 °C. to 65 °C, and having a Ba/Ti molar ratio of more than 1, and an aqueous basic solution (II) containing an inorganic or organic base, preheated to a temperature of from 60 °C to 100 °C; performing the reaction of the solution (I) with the solution (II) at a temperature of from 60 °C to 100 °C, while maintaining the reaction mixture at a constant OH^- concentration to

> form a powdery reaction product containing barium titanate, then filtrating and washing the resulting powdery reaction product with deionized water to remove impurity ions and the excessive barium ions, and finally, drying to obtain barium titanate powders. (emphasis added)

Applicants agree with the Examiner that Harada et al. fail to teach or suggest the amount of OH- is constant. In particular, Applicants submit that Harada et al. do not teach or suggest performing the reaction of the solution (I) with the solution (II) while maintaining the reaction mixture at a constant OH^- concentration to form a powdery reaction product containing barium titanate,

Nor do Woditsch et al. teach or suggest the above limitation. Woditsch et al. teach precipitating hydroxides at a constant pH value. Woditsch et al. do not teach or suggest forming metal titanates at a constant pH value when precipitating hydroxides. In Wodtisch et al. alkaline earth metal titanates are formed when the precipitated hydroxides are calcined at high temperatures.

Accordingly, even if one of the ordinary skill would have been motivated to combine Woditsch et al. with Harada et al., arguendo, the purported combination would not arrive at the invention recited in claim 1.

Furthermore, neither Harada et al. nor Woditsch et al. teach or suggest separately and simultaneously introducing preheated solution (I) (containing Ba/Ti) and preheated solution (II) (containing a base) into a high-gravity reactor to perform the reaction. In Harada et al., a barium salt solution is added to a titanium hydroxide colloid in the presence of an acid.

Based on the foregoing, Applicants submit that claim 1 is allowable under 35 U.S.C. § 103(a) over the cited references. Claims 2-7 and 9-10 depend on claim 1 directly or indirectly and

recite additional limitations. Claims 2-7 and 9-10 are therefore allowable for at least the same reasons as for claim 1.

V. Conclusion

Based on the foregoing, Applicants respectfully submit that this application is in condition for allowance, which is earnestly solicited. The Examiner is invited to call the undersigned attorney if the Examiner believes that there are issues that could be advanced by telephone.

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Respectfully submitted,

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